

CHANGE REQUEST COVER SHEET

Change Request Number: 10-69

Date Received: 5/17/2010

Title: Add and Revoke Executive Orders

Name: Larry Wyborski

Phone: 202-493-4638

Policy OR Guidance: Policy

Section/Text Location Affected: Appendix E, Executive Orders

Summary of Change: Add Executive Order 13502, Use of Project Labor Agreements for Federal Construction Projects and generally update Appendix E.

Reason for Change: Executive Order 13502 needs to be added to the list of applicable Executive Orders.

Development, Review, and/or Concurrence: AGC

Target Audience: FAA contracting offices.

Potential Links within FAST for the Change: none

Briefing Planned: No

ASAG Responsibilities: None

Potential Links within FAST for the Change: none

Links for New/Modified Forms (or) Documents (LINK 1) [null](#)

Links for New/Modified Forms (or) Documents (LINK 2) [null](#)

Links for New/Modified Forms (or) Documents (LINK 3) [null](#)

SECTIONS EDITED:

Acquisition Management Policy:

Appendix E: Part II - Executive Orders [[Old Content](#)][[New Content](#)] [[RedLine Content](#)]

SECTIONS EDITED:

Appendix E: Part II - Executive Orders

Old Content: Acquisition Management Policy:

Appendix E: Part II - Executive Orders

| Title | Description Summary | Functional area affected | Promulgated by AMS: P=Policy, G=Guidance, C=Clause *= See Office of Chief Counsel | | | |
|--|--|---------------------------------|--|---|---|--|
| Executive Order 10582, Prescribing Uniform Procedures for Certain Determinations Under the Buy-American Act (Dec 17, 1954) | Requires the Government to give preference to domestic end products. (See Buy American Act.) Amended by E.O.'s 10761, 11051, 12148, and 12608. (Also see E.O. 12148) | Procurement | | G | C | |
| Executive Order 10789, Prescribing uniform procedures for certain determinations under the Buy-American Act (November 14, 1958) | Authorizes non-DoD agencies of the Government to exercise certain contracting authority in connection with national-defense functions and to prescribe regulations governing the exercise of such authority. (Also see P.L. 85-804 and E.O. 12919) | Procurement | P | G | C | |
| Executive Order 11141, Equal Employment Opportunity, (February 12, 1964) | Prescribes policies and procedures pertaining to nondiscrimination in employment by contractors and subcontractors | Procurement | P | G | C | |
| Executive Order 11701, Employment of veterans by Federal agencies and Government contractors and subcontractors, (Jan. 24, 1973) | Requires each department and agency of the executive branch of the Federal Government to list suitable employment openings with the appropriate office of the State Employment Service or the United States Employment Service and extends the program to Government | Procurement | | G | | |

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| | contractors and subcontractors. (Also see 38 USC 2012) | | | | | |
| Executive Order 11912, Delegation of Authorities Relating to Energy Policy and Conservation (April 13, 1976) | Superseded or revoked by E.O. 12919, National Defense Industrial Resources Preparedness.(Also see E.O. 12919) | Procurement Environment | P | | | |
| Executive Order 12038, Relating to Certain Functions Transferred to the Secretary of Energy by the Department of Energy Organization Act (February 3, 1978) | Relates to certain functions transferred to the Secretary of Energy by the Department of Energy Organization Act . Amended by 12287 - Decontrol of crude oil and refined petroleum products. (Also see E.O.12287) | Procurement Environment | P | | | |
| Executive Order 12591, Facilitating Access to Science and Technology, (April 10, 1987) | Amended by E.O. 12618. Authorizes the FAA to apply the policies of the Bayh-Dole Act (inventions made with Government Assistance) to all participants in cooperative agreements. (Also see E.O. 12618) | Agreements | | G | | |
| Executive Order 12618, Uniform Treatment of Federally Funded Inventions (December 22, 1987) | Amended E.O. 12591. | Procurement | | | | * |
| Executive Order 12699, Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction | Requires Federal agencies to follow national and local seismic building codes, whichever provides the greatest margin of safety, when constructing new buildings or modifying existing buildings. | All | P | | | |
| Executive Order 12829, National Industrial Security Program, (January 6, 1993) Amended by E.O. 12885 | Requires a National Industry Security Program Operating Manual. Amended by E.O. 12885 December 14, 1993 to extend the time to issue the National Industrial Security Program operating manual. (Also see E.O. 12885) | Procurement | P | G | | |
| Executive Order 12919, National Defense Industrial Resources Preparedness (June 3, 1994) | Delegates authority and addresses national defense industrial resource policies and programs under the Defense Production Act of | Procurement | | | | * |

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| | 1950. Supersedes or revokes E.O. 11912.(Also see E.O. 11912) | | | | | |
| Executive Order 12928, Promoting Procurement with Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals, Historically Black Colleges and Universities, and Minority Institutions, (Sep 16, 1994) | Establishes policy that all department and agency heads and all Federal employees involved in the procurement of any and all goods and services shall assist SDBs, HBCUs, and MIs, as applicable, to develop viable, self-sustaining, businesses capable of competing on an equal basis in the mainstream of the American economy. | Procurement MPPG reporting | | G | | |
| Executive Order, 13360 Service-Disabled Veterans, (October 21, 2004) | Establishes policy that all heads of agencies shall provide the opportunity for service-disabled veteran businesses to significantly increase the Federal contracting and subcontracting of such businesses. | Procurement | | G | | |
| Executive Order 12941, Seismic Safety of Existing Federally Owned or Leased Buildings | Requires Federal Agencies to follow the standards developed, issued and maintained by the Interagency Committee for Seismic Safety in Construction (ICSSC). | All | P | | | |
| Executive Order 12958, Classified National Security Information, (April 17, 1995) (Amended by E.O. 13142, Nov. 19, 1999) | Prescribes a uniform system for classifying, safeguarding, and declassifying national security information. Amended by E.O. 13142, November 19, 1999 (Also see E.O. 13142) | Procurement Security | P | G | C | |
| Executive Order 12968, Access to Classified Information(August 2, 1995) | Establishes a uniform Federal personnel security program for employees who will be considered for initial or continued access to classified information. | Procurement Security | P | G | C | |
| Executive Order 13043, Increasing Seat Belt Use in the U.S. (April 16, 1997) | Requires seat belt use by Federal employees while on official business and motor vehicle occupants in National Park and Dept. of Defense installations. Encourages Federal contractors, | Procurement | P | | C | |

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| | subcontractors, and grantees to adopt and enforce on-the-job seat belt use policies and programs. | | | | | |
| Executive Order 13142, Amendment to E.O. 1295, (Nov. 19, 1999) | Amended sections 3.4(a), 5.2(a)(b), 5.3(b)(4) of E.O. 12958. (Also see E.O. 12958) | Procurement Security | | | | * |
| Executive Order 13170, Increasing Opportunities and Access for Disadvantaged Businesses (Oct 6, 2000) | Establishes additional incentives for outreach and goal setting to increase opportunities and access for disadvantaged businesses. | Procurement | | | | * |
| Executive Order 13202, Preservation of Open Communications and Government Neutrality towards Government Contractors (Feb. 17, 2001) | Promotes the economical, non-discriminatory, and efficient administration and completion of Federal and Federally funded or assisted construction projects. (Also see E.O. 13208) | Procurement Real Estate | | | | * |
| Executive Order 13208, Assisted Construction Projects(April 6, 2001) | Amends E.O. 13202. Added a new section to permit the Head of an Executive Agency to exempt a particular project from the requirements of any or all provisions of Sections 1 and 3 of E.O. 13202. (Also see E.O. 13202) | Procurement Real Estate | | | | * |
| Executive Order 13221, Energy Efficient Standby Power Devices (July 31, 2001) | Encourages energy conservation by requiring the Government to purchase COTS products that use no more than one watt in their external or internal standby power devices or functions. | Procurement | | | | * |
| Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management (January 24, 2007) | Revokes E.O. 13101, 13123, 13134, 13148, 13149; and amends E.O. 12088 and 13327. Orders Federal agencies to conduct their environmental, transportation, and energy-related activities, in support of their respective missions within an environmentally, economically and fiscally sound, integrated, continuously improving, efficient and sustainable | All | P | G | | |

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| | manner. NOTE: Related and previously revoked Executive Orders include: 11507,11752, 12856, 12873, and 12902. | | | | | |
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END OF PART II

**New Content: Acquisition Management Policy:
Appendix E: Part II - Executive Orders**

| Title | Description Summary | Functional area affected | Promulgated by AMS: | | | |
|--|--|---------------------------------|----------------------------|--------------------|-----------------|---------------------------------------|
| | | | P=Policy, | G=Guidance, | C=Clause | *= See Office of Chief Counsel |
| Executive Order 10582, Prescribing Uniform Procedures for Certain Determinations Under the Buy-American Act (Dec 17, 1954) | Requires the Government to give preference to domestic end products. (See Buy American Act.) Amended by E.O.'s 10761, 11051, 12148, and 12608. (Also see E.O. 12148) | Procurement | | G | C | |
| Executive Order 10789, Authorizing agencies of the Government to exercise certain contracting authority in connection with national-defense functions and prescribing regulations governing the exercise of such authority | Authorizes non-DoD agencies of the Government to exercise certain contracting authority in connection with national-defense functions and to prescribe regulations governing the exercise of such authority. Amended by: EO 11051 , September 27, 1962; EO 11382 , November 28, 1967; EO 11610 , July 22, 1971; EO 12148 , July 20, 1979; EO 12919 , June 3, 1994; EO 13232 , October 20, 2001; EO 13286 , February 28, 2003 | Procurement | P | G | C | |
| Executive Order 11141, Equal Employment Opportunity, (February 12, 1964) | Prescribes policies and procedures pertaining to nondiscrimination in employment by contractors and subcontractors | Procurement | P | G | C | |
| Executive Order 11701, Employment of veterans by Federal agencies and Government contractors | Requires each department and agency of the executive branch of the Federal Government to list suitable | Procurement | | G | | |

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| and subcontractors, (Jan. 24, 1973) | employment openings with the appropriate office of the State Employment Service or the United States Employment Service and extends the program to Government contractors and subcontractors. (Also see 38 USC 2012) | | | | | |
| Executive Order 11912, Delegation of Authorities Relating to Energy Policy and Conservation (April 13, 1976) | Amended by: EO 12003 , July 20, 1977; EO 12038 , February 3, 1978; EO 12148 , July 20, 1979; EO 12375 , August 4, 1982. Superseded or revoked in part by E.O. 12919, National Defense Industrial Resources Preparedness.(Also see E.O. 12919) | Procurement Environment | P | | | |
| Executive Order 12038, Relating to Certain Functions Transferred to the Secretary of Energy by the Department of Energy Organization Act (February 3, 1978) | Relates to certain functions transferred to the Secretary of Energy by the Department of Energy Organization Act. Amended by: EO 12156 , September 10, 1979 and by EO 12287 - Decontrol of crude oil and refined petroleum products. (Also see E.O.12287) | Procurement Environment | P | | | |
| Executive Order 12591, Facilitating Access to Science and Technology, (April 10, 1987) | Amended by E.O. 12618. Authorizes the FAA to apply the policies of the Bayh-Dole Act (inventions made with Government Assistance) to all participants in cooperative agreements. (Also see E.O. 12618) | Agreements | | G | | |
| Executive Order 12618, Uniform Treatment of Federally Funded Inventions (December 22, 1987) | Amended E.O. 12591. | Procurement | | | | * |
| Executive Order 12699, Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction | Requires Federal agencies to follow national and local seismic building codes, whichever provides the greatest margin of safety, when constructing new buildings or modifying existing buildings. Amended by: EO 13286 , February 28, 2003 | All | P | | | |
| Executive Order 12829, | Requires a National Industry | Procurement | P | G | | |

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| National Industrial Security Program, (January 6, 1993) Amended by E.O. 12885 | Security Program Operating Manual. Amended by E.O. 12885 December 14, 1993 to extend the time to issue the National Industrial Security Program operating manual. (Also see E.O. 12885) | | | | | |
| Executive Order 12919, National Defense Industrial Resources Preparedness (June 3, 1994) | Delegates authority and addresses national defense industrial resource policies and programs under the Defense Production Act of 1950. Amended by: EO 13286 , February 28, 2003. Supersedes or revokes E.O. 11912 in part. (Also see E.O. 11912) Revoked in part by: EO 13456 , January 23, 2008. | Procurement | | | | * |
| Executive Order 12928, Promoting Procurement with Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals, Historically Black Colleges and Universities, and Minority Institutions, (Sep 16, 1994) | Establishes policy that all department and agency heads and all Federal employees involved in the procurement of any and all goods and services shall assist SDBs, HBCUs, and MIs, as applicable, to develop viable, self-sustaining, businesses capable of competing on an equal basis in the mainstream of the American economy. | Procurement MPPG reporting | | G | | |
| Executive Order, 13360 Providing Opportunities for Service-Disabled Veteran Businesses To Increase Their Federal Contracting and Subcontracting, (October 20, 2004) | Establishes policy that all heads of agencies shall provide the opportunity for service-disabled veteran businesses to significantly increase the Federal contracting and subcontracting of such businesses. | Procurement | | G | | |
| Executive Order 12941, Seismic Safety of Existing Federally Owned or Leased Buildings (December 1, 1994) | Requires Federal Agencies to follow the standards developed, issued and maintained by the Interagency Committee for Seismic Safety in Construction (ICSSC). | All | P | | | |
| Executive Order 12968, Access to Classified Information (August 2, 1995) | Establishes a uniform Federal personnel security program for employees who will be considered for initial or continued access to classified | Procurement Security | P | G | C | |

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| | information. Amended by: EO 13467 , June 30, 2008 | | | | | |
| Executive Order 13043, Increasing Seat Belt Use in the U.S. (April 16, 1997) | Requires seat belt use by Federal employees while on official business and motor vehicle occupants in National Park and Dept. of Defense installations. Encourages Federal contractors, subcontractors, and grantees to adopt and enforce on-the-job seat belt use policies and programs. | Procurement | P | | C | |
| Executive Order 13142, Amendment to E.O. 12958–Classified National Security Information (Nov. 19, 1999) | Amended sections 3.4(a), 5.2(a)(b), 5.3(b)(4) of E.O. 12958. (Also see E.O. 12958) | Procurement Security | | | | * |
| Executive Order 13170, Increasing Opportunities and Access for Disadvantaged Businesses (Oct 6, 2000) | Establishes additional incentives for outreach and goal setting to increase opportunities and access for disadvantaged businesses. | Procurement | | | | * |
| Executive Order 13221, Energy Efficient Standby Power Devices (July 31, 2001) | Encourages energy conservation by requiring the Government to purchase COTS products that use no more than one watt in their external or internal standby power devices or functions. | Procurement | | | | * |
| Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management (January 24, 2007) | Revokes E.O. 13101, 13123, 13134, 13148, 13149; and amends E.O. 12088 and 13327. Orders Federal agencies to conduct their environmental, transportation, and energy-related activities, in support of their respective missions within an environmentally, economically and fiscally sound, integrated, continuously improving, efficient and sustainable manner. NOTE: Related and previously revoked Executive Orders include: 11507,11752, 12856, 12873, and 12902. | All | P | G | | |

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| Executive Order 13502, Use of Project Labor Agreements for Federal Construction Projects, (February 6, 2009) | Promotes the efficient administration and completion of Federal construction projects Revokes: EO 13202 , February 17, 2001; EO 13208 , April 6, 2001 | Procurement Real Estate | | | | * |
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END OF PART II

**Red Line Content: Acquisition Management Policy:
Appendix E: Part II - Executive Orders**

| Title | Description Summary | Functional area affected | Promulgated by AMS: P=Policy, G=Guidance, C=Clause *= See Office of Chief Counsel | | | |
|---|---|---------------------------------|--|---|---|--|
| Executive Order 10582, Prescribing Uniform Procedures for Certain Determinations Under the Buy-American Act (Dec 17, 1954) | Requires the Government to give preference to domestic end products. (See Buy American Act.) Amended by E.O.'s 10761, 11051, 12148, and 12608. (Also see E.O. 12148) | Procurement | G | C | | |
| Executive Order 10789, Prescribing uniform procedures for the Government to exercise certain determinations under the contracting authority in Buy connection with national-American Act <u>Authorizing agencies of the Government to exercise certain contracting authority in connection with national-defense functions</u> (November 14, 1958) <u>and prescribing regulations governing the exercise of such authority</u> | Authorizes non-DoD agencies of the Government to exercise certain contracting authority in connection with national-defense functions and to prescribe regulations governing the exercise of such authority. (Also Amended see by: P.L. <u>EO 85-804 11051</u> , and <u>September E.O. 27, 1962; EO 11382, November 28, 1967; EO 11610, July 22, 1971; EO</u> | Procurement | P | G | C | |

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| | <u>12148, July 20, 1979; EO 12919, June 3, 1994; EO 13232, October 20, 2001; EO 13286, February 28, 2003</u> | | | | |
| Executive Order 11141, Equal Employment Opportunity, (February 12, 1964) | Prescribes policies and procedures pertaining to nondiscrimination in employment by contractors and subcontractors | Procurement | PG | C | |
| Executive Order 11701, Employment of veterans by Federal agencies and Government contractors and subcontractors, (Jan. 24, 1973) | Requires each department and agency of the executive branch of the Federal Government to list suitable employment openings with the appropriate office of the State Employment Service or the United States Employment Service and extends the program to Government contractors and subcontractors. (Also see 38 USC 2012) | Procurement | G | | |
| Executive Order 11912, Delegation of Authorities Relating to Energy Policy and Conservation (April 13, 1976) | <u>Amended by: EO 12003, July 20, 1977; EO 12038, February 3, 1978; EO 12148, July 20, 1979; EO 12375, August 4, 1982.</u> Superseded or revoked <i>in part</i> by E.O. 12919, National Defense Industrial Resources Preparedness.(Also see E.O. 12919) | Procurement Environment | P | | |
| Executive Order 12038, Relating to Certain Functions Transferred to the Secretary of Energy by the Department of Energy Organization Act (February 3, 1978) | Relates to certain functions transferred to the Secretary of Energy by the Department of Energy Organization Act . Amended by: <u>EO 12156, September</u> | Procurement Environment | P | | |

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| | <u>10, 1979 and by EO</u> 12287 - Decontrol of crude oil and refined petroleum products. (Also see E.O.12287) | | | | |
| Executive Order 12591, Facilitating Access to Science and Technology, (April 10, 1987) | Amended by E.O. 12618. Authorizes the FAA to apply the policies of the Bayh-Dole Act (inventions made with Government Assistance) to all participants in cooperative agreements. (Also see E.O. 12618) | Agreements | G | | |
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| Executive Order 12829, National Industrial Security Program, (January 6, 1993) Amended by E.O. 12885 | Requires a National Industry Security Program Operating Manual. Amended by E.O. 12885 December 14, 1993 to extend the time to issue the National Industrial Security Program operating manual. (Also see E.O. 12885) | Procurement | PG | | |
| Executive Order 12919, National Defense Industrial Resources Preparedness (June 3, 1994) | Delegates authority and addresses national defense industrial resource policies and programs under the | Procurement | | | * |

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| | <p>Defense Production Act of 1950. <u>Amended by: EO 13286, February 28, 2003.</u></p> <p>Supersedes or revokes E.O. 11912 <u>in part.</u> (Also see E.O. 11912) <u>Revoked in part by: EO 13456, January 23, 2008.</u></p> | | | | |
| Executive Order 12928, Promoting Procurement with Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals, Historically Black Colleges and Universities, and Minority Institutions, (Sep 16, 1994) | Establishes policy that all department and agency heads and all Federal employees involved in the procurement of any and all goods and services shall assist SDBs, HBCUs, and MIs, as applicable, to develop viable, self-sustaining, businesses capable of competing on an equal basis in the mainstream of the American economy. | Procurement MPPG reporting | G | | |
| Executive Order, 13360 <u>Providing Opportunities for Service-Disabled Veterans</u> <u>Veteran Businesses To Increase Their Federal Contracting and Subcontracting,</u> (October 21 20 , 2004) | Establishes policy that all heads of agencies shall provide the opportunity for service-disabled veteran businesses to significantly increase the Federal contracting and subcontracting of such businesses. | Procurement | G | | |
| Executive Order 12941, Seismic Safety of Existing Federally Owned or Leased Buildings (<u>December 1, 1994</u>) | Requires Federal Agencies to follow the standards developed, issued and maintained by the Interagency Committee for Seismic Safety in Construction (ICSSC). | All | P | Executive Order 12958, Classified National Security Information, (April 17, 1995) (Amended by E.O. 13142, Nov. 19, 1999) Prescribes a uniform system for classifying, safeguarding, and declassifying national security information. Amended by E.O. | G C |

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| | | | | 13142, November 19, 1999 (Also see E.O. 13142) Procurement Security - P | |
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| Executive Order 13043, Increasing Seat Belt Use in the U.S. (April 16, 1997) | Requires seat belt use by Federal employees while on official business and motor vehicle occupants in National Park and Dept. of Defense installations. Encourages Federal contractors, subcontractors, and grantees to adopt and enforce on-the-job seat belt use policies and programs. | Procurement | P | C | |
| Executive Order 13142, Amendment to E.O. 1295, 12958- Classified National Security Information (Nov. 19, 1999) | Amended sections 3.4(a), 5.2(a)(b), 5.3(b)(4) of E.O. 12958. (Also see E.O. 12958) | Procurement Security | | | * |
| Executive Order 13170, Increasing Opportunities and Access for Disadvantaged Businesses (Oct 6, 2000) | Establishes additional incentives for outreach and goal setting to increase opportunities and access for disadvantaged businesses. | Procurement * Executive Order 13202, Preservation of Open Communications and Government Neutrality towards Government Contractors (Feb. 17, | | | * |

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| | | <p>2001) Promotes the economical, non-discriminatory, and efficient administration and completion of Federal and Federally funded or assisted construction projects. (Also see E.O. 13208)</p> <p>Procurement Real Estate *</p> <p>Executive Order 13208, Assisted Construction Projects (April 6, 2001) Amends E.O. 13202.</p> <p>Added a new section to permit the Head of an Executive Agency to exempt a particular project from the requirements of any or all provisions of Sections 1 and 3 of E.O. 13202. (Also see E.O. 13202)</p> <p>Procurement Real Estate</p> | | | |
| <p>Executive Order 13221, Energy Efficient Standby Power Devices (July 31, 2001)</p> | <p>Encourages energy conservation by requiring the Government to purchase COTS products that use no more than one watt in their external or internal standby power devices or functions.</p> | <p>Procurement</p> | | | <p>*</p> |

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|--|--|--------------------------------|----|---|
| Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management (January 24, 2007) | Revokes E.O. 13101, 13123, 13134, 13148, 13149; and amends E.O. 12088 and 13327. Orders Federal agencies to conduct their environmental, transportation, and energy-related activities, in support of their respective missions within an environmentally, economically and fiscally sound, integrated, continuously improving, efficient and sustainable manner. NOTE: Related and previously revoked Executive Orders include: 11507,11752, 12856, 12873, and 12902. | All | PG | |
| Executive Order 13502, Use of Project Labor Agreements for Federal Construction Projects, (February 6, 2009) | Promotes the efficient administration and completion of Federal construction projects Revokes: EO 13202 , February 17, 2001; EO 13208 , April 6, 2001 | Procurement Real Estate | | * |

END OF PART II
